

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

**Apr 18, 2025**

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

HAZEL K.,

Plaintiff,

v.

LELAND DUDEK, ACTING  
COMMISSIONER OF SOCIAL  
SECURITY,<sup>1</sup>

Defendant.

No. 1:22-CV-03104-ACE

ORDER GRANTING STIPULATED  
MOTION FOR REMAND  
PURSUANT TO SENTENCE FOUR  
OF 42 U.S.C. § 405(g)

**ECF No. 30**

**BEFORE THE COURT** is the parties' stipulated motion to remand the above-captioned matter to the Commissioner for additional administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g). ECF No. 30. Attorney D. James Tree represents Plaintiff; Special Assistant United States Attorney Michael J. Mullen represents Defendant. After considering the file and proposed order, **IT IS ORDERED:**

1. The parties' Stipulated Motion for Remand, **ECF No. 30**, is **GRANTED**. The above-captioned case is **REVERSED** and **REMANDED** to the Commissioner of Social Security for further administrative action pursuant to

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<sup>1</sup>Pursuant to Federal Rule of Civil Procedure 25(d), Leland Dudek, Acting Commissioner of Social Security, is substituted as the named Defendant.

1 sentence four of 42 U.S.C. § 405(g). On remand, the Appeals Council shall  
2 instruct the Administrative Law Judge to: (1) offer Plaintiff the opportunity for  
3 another administrative hearing; (2) further develop the record and reevaluate the  
4 evidence, as necessary; (3) reevaluate the severity of Plaintiff's postural orthostatic  
5 tachycardia syndrome and seizure impairments (including finding whether seizures  
6 were a medically determinable impairment); and (4) issue a new decision.

7 2. **Judgment shall be entered for PLAINTIFF.**

8 3. Plaintiff's Opening Brief, **ECF No. 26**, is **STRICKEN AS MOOT**.

9 4. An application for attorney fees under the Equal Access to Justice  
10 Act, 28 U.S.C. § 2412, may be filed by separate motion.

11 **IT IS SO ORDERED.** The District Court Executive is directed to enter this  
12 Order, forward copies to counsel, and **CLOSE THE FILE**.

13 DATED April 18, 2025.



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A handwritten signature in blue ink, reading "Alexander C. Ekstrom", is written over a horizontal line.

ALEXANDER C. EKSTROM

UNITED STATES MAGISTRATE JUDGE